

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



21839

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of pending Application No. 09/886,296 filed on June 21, 2001, for ENGINEERED PARTICLES AND METHODS OF USE, by the following named inventor(s):

- (a) Full Name Thomas E. Tarara
- (b) Full Name Jeffry G. Weers
- (c) Full Name Alexey Kabalnov
- (d) Full Name Ernest G. Schutt
- (e) Full Name Luis A. Dellamary

☐ Applicant(s) hereby requests that the above-captioned application **NOT BE PUBLISHED** under 35 U.S.C. § 122(b) and 37 C.F.R. § 1.211. The undersigned hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

- (a) Full Name _____
- (b) Full Name _____
- (c) Full Name _____

- ☒ Applicant(s) suggests Figure 1 for inclusion on the front page of the patent application publication and/or patent.
- ☐ Applicant(s) requests that the published application include the following assignment information: .
1. ☒ Enclosed is a copy of the prior Application No. 09/886,296 as originally filed on June 21, 2001, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment:

C L A I M S					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$750.00 (1001)
Total Claims	25	MINUS 20 =	5	× \$18.00 (1202) =	\$ 90.00
Independent Claims	8	MINUS 3 =	5	× \$84.00 (1201) =	\$ 420.00
If multiple dependent claims are presented, add \$280.00 (1203)					
Total Application Fee					\$ 1,260.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee of \$ <u> </u> if Assignment document is enclosed					
TOTAL APPLICATION FEE DUE ** not included **					1,260.00

5. ☒ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☒ Cancel in this application original claim 1 of the prior application before calculating the filing fee.
7. ☐ New drawings are enclosed.
8. ☐ Priority of Application No. filed on in (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application
- ☐ is enclosed.

☐ was filed on _ in prior Application No. _, filed on _, and acknowledged by the Examiner on _ in Paper No. _.

☐ has not yet been filed.

9. ☒ Please amend the specification by inserting before the first line the sentence:

☒ --This application is a continuation of Application No. 09/886,296, filed on June 21, 2002, which is a divisional of application Serial No. 09/219,736, filed December 22, 1998, which is a continuation of PCT/US98/20602, filed September 29, 1998, which is a continuation-in-part of application Serial No. 09/133,848, filed August 14, 1998, which is a continuation-in-part of application Serial No. 09/106,932, filed June 29, 1998, which claims benefit of application Serial No. 60/060,337, filed September 29, 1997.--.

10. ☒ A Preliminary Amendment and Statement Under 37 C.F.R. §1.607(c) and Appendix 1 are enclosed.

11. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

12. ☐ Also enclosed _.

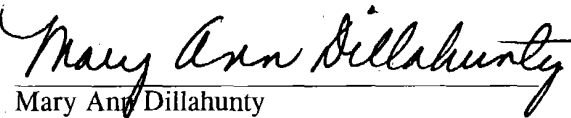
13. ☒ The power of attorney in the prior application is to _.

- a. ☐ The power appears in the original papers in the prior application.
- b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ A Revocation and New Power of Attorney is enclosed.
- d. ☒ An Associate Power of Attorney is enclosed.
- e. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404

Date: July 2, 2003

By:


Mary Ann Dillahunty
Registration No. 34,576

ADDRESS OF SIGNATOR:

BURNS, DOANE, SWECKER & MATHIS, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
- ☐ assignee of complete interest
- ☒ attorney or agent of record
- ☐ filed under 37 C.F.R. § 1.34(a)